

REMARKS/ARGUMENTS

It is believed that this Amendment, in conjunction with the following remarks, place the application in immediate condition for allowance or at least presents the claims in better form for consideration on Appeal. Accordingly, entry of this Amendment and favorable consideration of the application are respectfully requested in view of the foregoing amendments and the following remarks. Claims 1-22 are currently pending in the subject application and are presently under consideration. Claims 1, 10 and 22 are independent claims. Claims 19-22 are added by this Amendment.

Allowable Subject Matter

Applicant notes with appreciation the indication on pages 11-12 of the 12/5/2008 Final Office Action that claims 11 and 15-18 would be allowable if rewritten into independent form. Because claims 2-5, 10 and 12-14 were only rejected based on obviousness-type double patenting, and Applicant has filed a terminal disclaimer with this Amendment, Applicant respectfully submits that claims 2-5, 10 and 12-14 are also allowable. Further, because claim 10 is independent, and claims 11-17 depend from independent claim 10, an indication that claims 2-5 and 10-17 are allowable as presently recited is respectfully requested.

Claim Objections

Claim 11 stands objected to for including a minor informality. By the present Amendment, the minor informality has been corrected. Accordingly, Applicant respectfully requests that the Examiner withdraw this art grounds of rejection.

Double Patenting Rejection

Claims 1-9 are rejected to under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-6 of US 6,266,540, and claims 10 and 12-

14 are rejected to under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 1 of US 6,724,753. In view of the presently filed terminal disclaimers, Applicant respectfully requests that the Examiner withdraw the double patenting rejections.

Further, as noted above, because claims 2-5, 10 and 12-14 have not been rejected under any remaining rejection in the 12/05/2008 Final Office Action, an indication that claims 2-5, 10 and 12-14 are allowed is respectfully requested.

35 U.S.C. §102(e) Menon

Claim 1 stands rejected under 35 U.S.C. §102(e) as being allegedly anticipated by U.S. Patent No. 6,208,627 (“Menon”). Applicant respectfully traverses this art grounds of rejection.

Menon is directed to a signaling and protocol for a communication system with a wireless trunk. The Examiner reads the claimed “plurality of desksets” upon the plurality of telephone stations 102 that are connected to a central telephone switch, or customer premises equipment (CPE) 105, in Menon’s FIG. 1 (e.g., see Page 8 of the 12/5/2008 Final Rejection). The Examiner presumably reads the claimed “transceiver” upon the CPRU 106, which communicates with base station 108 via a wireless connection 108 (if this is not correct, i.e., if the Examiner instead reads the “transceiver” upon the CPE 105 itself, the comments below also apply under this alternative interpretation. In any case, a more explicit indication of how the Examiner reads this term is respectfully requested).

However, the Examiner then cites to Col. 14, line 64 to Col. 15, line 15 of Menon for allegedly showing “an interface bus” (e.g., see Page 8 of the 12/5/2008 Final Rejection). The cited section of Menon describes a base station 401. Accordingly, the bus architecture in base station 401 (and described in Col. 14, line 64 to Col. 15, line 15) relates to how physical

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components of the base station communicate with each other. This bus architecture of the base station 401 has nothing to do with how the telephone stations 102 communicate with the CPE 105. Accordingly, the claim language of “an interface bus that permits said desksets to communicate with said transceiver by exchanging packets with the transceiver, each packet including source, destination and error checking information” as recited in independent claim 1 cannot read on the global bus backplane at the base station 401 (Emphasis added). In other words, the global bus backbone at the base station 401 cannot be said to permit communication between the telephone stations 102 and either the CPE 105 or the CPRU 106, because there is clearly a different communication interface involved that is unrelated to the base station 401’s bus.

Further, independent claim 1 includes the claim language of “each packet including source, destination and error checking information” (Emphasis added). The Examiner has only attempted to show how Menon discloses “destination and error checking information”, but has made no assertion that Menon also discloses “source” information in each packet (e.g., see Page 8 of the 12/5/2008 Final Rejection). Accordingly, the current 35 U.S.C. §102(e) rejection to Menon should be withdrawn for at least this additional reason. Applicant submits that there is no clear disclosure within Menon that indicates each exchanged packet includes an indication of its source.

Applicant respectfully requests that the Examiner withdraw this art grounds of rejection.

Allowance requested for newly added claims 19-22

Independent claim 22 is similar to independent claim 10, and should be allowed at least because independent claim 10 has not been rejected based on applied art in the 12/5/2008 Final Rejection.

With respect to claims 19-21, which depend from claim 1, claim 19 recites “wherein source information included in each packet identifies a given deskset among that the plurality of desksets that is sending the packet”. No such teaching appears within Menon. In fact, Menon’s only disclosure related to source addresses is where the base station 109 determines a “failure cause field” that “indicates the source of the field (e.g., the wireless access communication unit 106)” (e.g., see Col. 42, lines 22-27 of Menon), which implies that if any source information is designated at all, it would be for the wireless access communication unit 106, not a “deskset”, which corresponds to telephone stations 102 in Menon according to the Examiner’s interpretation, as claimed.

Further, dependent claim 20 recites “wherein each of the plurality of desksets exchanging packets with the transceiver is configured to send data to the transceiver in a different manner from each other deskset based on an associated address of the deskset”. No such disclosure appears to be present within Menon. Further, claim 21 recites “wherein the associated address of each deskset defines a different time-out period related to access of the interface bus by a corresponding deskset”. Again, no such disclosure appears to be present within Menon.

Accordingly, allowance is respectfully requested for each of claims 19-22.

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35 U.S.C. §103(a) Menon in view of Azarya

Claims 6-9 stand rejected under 35 U.S.C. §103(a) as being allegedly unpatentable over Menon in view of U.S. Patent No. 5,978,578 (“Azarya”). Applicant respectfully traverses this art grounds of rejection.

The Examiner cites to Azarya to compensate for Menon’s failure to disclose limitations included within dependent claims 6-9. Azarya is directed to an openbus system for control automation networks. A review of Azarya indicates that Azarya is insufficient to cure the suggestion and disclosure deficiencies of Menon as discussed above with respect to independent claim 1.

As such, claims 6-9, dependent upon independent claim 1, are likewise allowable over Menon in view of Azarya at least for the reasons given above with respect to independent claim 34.

Applicant respectfully requests that the Examiner withdraw this art grounds of rejection.

Reconsideration and issuance of the present application is respectfully requested.

CONCLUSION

In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance. If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney, at the telephone number listed below.

Deposit Account Authorization

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any fees or overpayments that may be due with this response to Deposit Account No. 17-0026.

Respectfully submitted,

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